

**Adopted**

At a regular meeting of the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, held at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on July 15, 2003, at 2:00 o'clock P.M., Prevailing Time.

**Supervisor Kozakiewicz**

The meeting was called to order by \_\_\_\_\_, and upon roll being called, the following were

PRESENT: SUPERVISOR ROBERT KOZAKIEWICZ  
COUNCILMAN EDWARD DENSIESKI  
COUNCILMAN JAMES LULL

ALSO PRESENT: BARBARA GRATTAN, TOWN CLERK

ABSENT: COUNCILWOMAN BARBARA BLASS  
COUNCILWOMAN ROSE SANDERS

The following resolution was offered by Member COUNCILMAN LULL, who moved its adoption, seconded by Member COUNCILMAN DENSIESKI, to-wit:

THE VOTE  
Sanders absent Yes absent No absent Blass Yes absent No absent  
Densieski absent Yes absent No absent Lull Yes absent No absent  
Kozakiewicz absent Yes absent No absent  
THE RESOLUTION WAS NOT  
THEREUPON ADOPTED

Community Development Agency  
Resolution #

A RESOLUTION DESIGNATING SUFFOLK THEATRE ENTERPRISES, INC. AS A QUALIFIED AND ELIGIBLE SPONSOR FOR REDEVELOPMENT OF THE BUILDING COMMONLY KNOWN AS THE SUFFOLK THEATRE AND AUTHORIZING THE SALE BY THE AGENCY OF SUCH SUFFOLK THEATRE TO SUFFOLK THEATRE ENTERPRISES, INC. FOR REDEVELOPMENT AS A PERFORMING ARTS CENTER.

WHEREAS, the Town of Riverhead Community Development Agency (the "Agency") is the owner of a parcel of land and the building located thereon commonly known as the Suffolk Theatre, located on the north side of East Main Street, Riverhead, (the "Suffolk Theatre"); and

WHEREAS, there has been submitted to the Agency a proposal for, and the Agency is considering, (i) designating Suffolk Theatre Enterprises, Inc. the "qualified and eligible sponsor" (the "Sponsor"), pursuant to Section 507(2)(c) and (d) of the General Municipal Law and in accordance with the established rules and procedures provided by the Agency, for the redevelopment of the Suffolk Theatre as a performing arts center, and (ii) selling the Suffolk Theatre, pursuant to Sections 507(2)(d), 556(2) and 968(b) of the General Municipal Law, to Suffolk Theatre Enterprises, Inc. pursuant to a certain Agreement of Sale by and between the Agency and Suffolk Theatre Enterprises, Inc., a draft of which Agreement of Sale is on file in the Office of the Town Clerk of the Town of Riverhead and is available for public inspection during regular business hours (the "Agreement of Sale"), for \$704,000 for redevelopment by Suffolk Theatre Enterprises, Inc. as a performing arts center; and

WHEREAS, Sections 556(2), 507(2)(c) and (d) and 968(b) of the General Municipal Law require that a public hearing, following at least ten days public notice, be held by the Agency on the question of designating Suffolk Theatre Enterprises, Inc. the Sponsor for the redevelopment of the Suffolk Theatre and selling the Suffolk Theatre to Suffolk Theatre Enterprises, Inc.; and

WHEREAS, the Agency, pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the State Department of Environmental Conservation ("SEQRA"), declared itself "lead agency", by Resolution #666 dated June 3, 2003, for the sale of the Suffolk Theatre to Suffolk Theatre Enterprises, Inc., determined such sale of the Suffolk Theatre to be an Unlisted Action pursuant to SEQRA, caused to be prepared therefor an Environmental Assessment Form pursuant to SEQRA and determined that such sale of the Suffolk Theatre is without significant adverse impacts to either the natural or social environment and that an Environmental Impact Statement need not be prepared pursuant to SEQRA; and

WHEREAS, on July 1, 2003, the Agency duly held said public hearing on the designation of Suffolk Theatre Enterprises, Inc. as the Sponsor for the redevelopment of the Suffolk Theatre and the sale of the Suffolk Theatre by the Agency to Suffolk Theatre Enterprises, Inc., as Sponsor, after the requisite public notice; and

WHEREAS, a majority of the Town Board of the Town, acting as Members of the Agency, attended such public hearing; NOW, THEREFORE, BE IT

RESOLVED, by the Members of the Agency, as follows:

Section 1. Based upon the public hearing held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town on July 1, 2003 at 7:15 o'clock P.M., Prevailing Time, on the question of designating Suffolk Theatre Enterprises, Inc. the Sponsor for the redevelopment of the Suffolk Theatre and the sale of the Suffolk Theatre by the Agency to Suffolk Theatre Enterprises, Inc., it is hereby determined to designate Suffolk Theatre Enterprises, Inc. the Sponsor pursuant to Section 507(2)(d) of the General Municipal Law for the redevelopment of the Suffolk Theatre.

Section 2. The form and substance of the Agreement of Sale (in substantially the form presented to this meeting) are hereby approved.

Section 3. Based upon the public hearing held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town on July 1, 2003 at 7:15 o'clock P.M., Prevailing Time, on the question of designating Suffolk Theatre Enterprises, Inc. the Sponsor for the redevelopment of the Suffolk Theatre and the sale of the Suffolk Theatre by the Agency to Suffolk Theatre Enterprises, Inc., the sale of the Suffolk Theatre by the Agency to Suffolk Theatre Enterprises, Inc. is hereby authorized in accordance with Sections 507(2)(d), 556(2) and 968(b) of the General Municipal Law and in accordance with the terms of the Agreement of Sale.

Section 4. The Chairman of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver the Agreement of Sale and to execute and deliver such other documents and certificates, including a deed to the Suffolk Theatre, as may be necessary or convenient to properly effectuate the sale of the Suffolk Theatre by the Agency to Suffolk Theatre Enterprises, Inc. in accordance with this Resolution and the Agreement of Sale and the Secretary of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, where necessary.

Section 5. The Chairman of the Agency is hereby authorized and directed to distribute copies of this Resolution to Suffolk Theatre Enterprises, Inc. and to do such further things and perform such acts as may be necessary or convenient to implement the provisions of this Resolution and the Agreement of Sale.

Section 5. This Resolution shall take effect immediately.

STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF SUFFOLK    )

I, the undersigned Secretary of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Members of said Agency, including the resolution contained therein, held on July 15, 2003, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all Members of said Agency had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media    Date given

**TRAVELER-WATCHMAN**

**AUGUST 8, 2003**

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)

of posted notice      Date of Posting

**TOWN CLERK'S BULLETIN BOARD**

**AUGUST 6, 2003**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency

on \_\_\_\_\_, 2003.

\_\_\_\_\_  
Secretary

(CORPORATE SEAL)

# Adopted

08/05/03

TOWN OF RIVERHEAD  
Community Development Agency

Resolution # 20

**AUTHORIZES THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT  
WITH ISLAND WATER PARK, LLC FOR THE USE OF PROPERTY AT  
ENTERPRISE PARK AT CALVERTON**

Councilman Densieski offered the following resolution, was seconded  
by

Councilman Lull :

**WHEREAS**, the Island Water Park, LLP has requested use of a certain roadway owned by the Town of Riverhead Community Development Agency at Enterprise Park at Calverton for the purposes of facilitating construction of its water ski facility, and

**WHEREAS**, the Community Development Agency wishes to grant Island Water Park the ability to utilize the roadway in exchange for the company's agreement not engage in construction at their site during certain days of the North Fork Classic Horse Show,

**NOW, THEREFORE, it is hereby**

**RESOLVED**, that the Supervisor is hereby authorized to execute a license agreement with Island Water Park, LLC allowing the company to utilize certain roadways located on Community Development Agency property, and be it further

**RESOLVED** that the Town Clerk is hereby directed to forward a certified copy of this resolution to Island Water Park, LLC, c/c Dave Furman, Andrea Lohneiss, Director, Town of Riverhead Community Development Agency; the Office of the Town Attorney and the Office of Accounting.

*absent* **THE VOTE** *absent*  
Sanders Yes No Blass Yes No  
Densieski Yes No Lull Yes No  
Kozakiewicz Yes No  
**THE RESOLUTION WAS NOT**  
**THEREUPON ADOPTED**